


1893-036 Chancery Causes: John P. Myres Jr & vs. M. Z. Parsons
Lee Co.

Ely

CA-Debt
T-Property

By Jan 1st 1892 I promise and
bind myself to pay Jane Myers
One Hundred dollars for value
it being for land
recd. and as to this debt I here-
by waive the benefit of the home-
stead law. Witness my hand &
seal this Oct. 3rd 1891

Me J. Parsons 

I Sign the within Note over
+ J. P. Myers & John D. Ely
This April 29th 1892
Jane Myers

To the Hon. H. S. K. Morrison, Judge
of the Circuit Court for Lin Co., Va

Humbly complaining your
orators John Z. Ely & John P. Myers
would respectfully represent unto
your honor That on Oct 3rd 1891
our Jane Myers was the owner in
fee of a tract of Land lying & being
in Lin County in the Brush Country
about ~~three~~^{two} miles south of Remington
Gap; That on said day said Jane
sold the same to one M. Z. Parsons
at the price of \$343⁻; That
she put said Parsons in possession
of the same; That at the time of said
sale she made and delivered to him
her title bond, binding herself to make
a deed to said land when it was fully
paid for; That by the terms of said
sale said Parsons paid her down
\$106, and executed his notes
for the residue payable as follows
to wit: \$100⁰⁰ by Jan. 1st 1892, and
the residue ~~in~~ due in two equal
payments of one & two years from
the date of said sale.

Your orators will again aver &
allege That on the 29th day of April
1892 said Jane Myers assigned said
\$100⁰⁰ payment, which was evidenced by
the bond of said Parsons, to your orators;
That said \$100⁰⁰ was not paid to said

W. H.
S. S.
Myers &

same before its assignment, nor has
it been paid to your orators, or to either
of them, since it came to their hands;
that as the assignees of said Jane the
same is due & payable to your orators.
Said note or bond having been given
for real estate & no deed having
been made to said land, your orators
are advised that the said Jane, had
at common law a vendors lien on
the land for which said note or bond
was given, and that by the as-
signment of said bond to your
orators, her lien by law passed
with her assignment and for the
benefit of your orators. Said
Jane has made her deed to said
land reserving therein a vendors lien
for \$135.⁰⁰ which is herein filed as
an escrow to be delivered to said Par-
sons on the payment of said \$100.⁰⁰ as-
signed as aforesaid to your orators.

The premises considered, your
orators are advised that they have
cause of complaint against said
Mr. J. Parsons, which complaint
however is only cognizable in a
court of Chancery; Their prayer
therefore is that Mr. J. Parsons
be made a party defendant to this
bill of complaint; that he be re-
quired to answer its several al-

legations on oath; that a decree be
pronounced ~~therein~~ giving them
Judgment for their said debt and
the Costs of this suit; and that if
the same be not paid within a
reasonable time, an order be made
for the sale of said land or of
so much thereof as may be neces-
sary to pay your plaintiffs debt &
the Costs of this suit, And that
all other, further and general
relief be granted your plaintiffs
as the justice of this cause may
require. 'I pray & so advise you
And they will ever pray &c

Pennington & Lewis

J. G.

Tax 150
 L 6.70
 S 30
 O A 15.00
 Estimate 5.00

\$28.70

1046.
 J. J. Myers & J. Z. Ely for re

as } Bill in Chancery

M. Z. Parsons

\$100⁰⁰ Bond Enclosed

1892 2nd May Rules Bill
 Filed. Sp. Ex. & D. Cr.
 " 1st time Rules taken
 last Monday in May
 1892. D. Cr. Cont'd &
 Cause set for hearing
 " 2nd time Rules for sale
 & continued
 " 3rd time Cont'd
 1893 Mon. Apr. 8th & June Cont'd
 " 4th time Decree final
 O. B. 5-17

O & C 8.54
 M. C. 76
 S 30
 \$9.80

J. P. Myers & J. Z. Ely for R. Campbell } In Chancery
vs
W. Z. Parsons } Deft

This Cause came on again
this day & be heard upon the pa-
pers formerly read in the Cause
and for reasons appearing to the
Court said Cause is stricken from
the docket.

~~H. D. Robinson~~
~~J. D. Maynor~~ & Elly
vol. 2. Sec. 1. final

~~J. D. May~~
m. 3. Persons

Entered Ch. O.B. p. 517
Nov. 11th 1893.

Enter this
Nov. 18th 1893.

H. S. K. M.

1 John P. Hughes & John Z. Ely assignors Comfells
2 vs In Chancery.
3 Mr. Z. Parsons Deft.

4 This Cause came on this day
5 to be heard upon the bill of the Comfells
6 and exhibits filed therewith and was
7 argued by counsel. And it appearing
8 that process has been duly served
9 on the Deft. for more than fifteen
10 days before the first day of this
11 term of the Court and he failing
12 to appear & plead said bill is
13 taken for confessed: On consider-
14 ation of all which it is adjudged,
15 ordered & decreed that the plaintiffs
16 recover from the Deft. the sum of
17 \$100⁰⁰ with legal interest thereon
18 from the 1st day of January, 1892 till
19 paid & the costs of this suit, and if
20 said sum of money, its interest and
21 the costs of this suit be not paid
22 in 30 days from this date, then
23 A. M. Guins & Co. is to be, ap-
24 pointed a special Comr. for the purpose
25 will, after advertising the time, times
26 & place of sale for 30 days at such places
27 as he may deem proper, by written or
28 printed notices, proceed to sell the land
29 in the bill & proceedings mentioned, on
30 so much thereof as may be necessary
31 to pay said debt interest & cost, at the
32 front door of the Court house of the

1 County, and on some court day, at
 2 public outcry and to the highest
 3 bidder. He will make said sale on
 4 a credit of three & six months, ex-
 5 cept a sum sufficient to pay the
 6 costs of this suit and commissions of
 7 sale which he will require to be paid
 8 down and for the deferred payments
 9 he will take bonds payable to himself
 10 bearing interest from date of sale, & with
 11 good personal security. But said
 12 Court before entering upon the duties
 13 herein assigned him he will execute
 14 bond in a penalty of \$200⁰⁰ before
 15 the Clerk of this Court conditioned
 16 according to law. And he will re-
 17 port his action to this Court. And
 18 this Court is continued.

J. P. May no of J. Ely.
 no } Green no 1

Mr. J. Parsons
 Entered in C. O. Book
 p 403.
 This June 9, 1892
 J. H. G. Hyatt
 Clerk

Enter this
 Jan 9 1892
 R. K. M.

KNOW ALL MEN BY THESE PRESENTS, That we

A. M. Goins
and J. A. Hyatt

are held and firmly bound unto the Commonwealth of Virginia, in the sum of

Two hundred dollars, to the payment whereof, well and truly to be made to the said Commonwealth of Virginia, we bind ourselves and each of us, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents, hereby waiving the benefit of our homestead exemptions as to this obligation, and any claim, right, or privilege to discharge any liability arising under this bond, or by virtue of said office or trust, in any currency, funds, counter claims or offsets other than legal-tender currency of United States. Sealed with our seals, and dated

of *July*, one thousand eight hundred and *twenty two* day

The Condition of The Above Obligation is Such, That if the above bound

A. M. Goins
Commissioner shall faithfully perform the duties of *his* office or trust, as *Commissioner*

under a decree of the Circuit Court of the County of Lee, pronounced on the

day of *June*, 18 *92*, in the suit therein depending

under the name and style of *John S. Myres et al* Plaintiff

vs. *M. G. Parson* Defendant

and properly account for all sums of money *he* may receive as such *Commissioner*

then this obligation to be void, otherwise to remain in full force and virtue.

Signed, sealed and acknowledged in the presence of

A. M. Goins (SEAL.)

J. A. Hyatt (SEAL.)

(SEAL.)

In the Clerk's Office of the Circuit Court of the County of Lee

This day

suret on the above bond, made oath before me J. A. G. Hyatt, Clerk of the Circuit Court of the County of Lee, that

estate after the payment of all just debts, and those

for which bound as securit for others, and expect to have

to pay worth the sum of

dollars.

Given under my hand this day of

18

Teste: Clerk.

John P. Myer

vs. Bond

M. B. Parsons

Filed July 19th 1892

J. H. Bryant

The Commonwealth of Virginia.

TO THE SHERIFF OF LEE COUNTY GREETING:

We Command You to Summon

W. J. Parsons

To appear at the Clerk's Office of the Circuit Court of Lee County, at the Courthouse on the ^{third} Monday in *May* 18*92*, next, being rule day to answer a bill in Chancery exhibited in our said Court against

James Mures by *James Mures* who
sues for the benefit of *J. S. Mures*
and *John B. Elm*

And have then and there this writ Witness, J. A. G. Hyatt, Clerk of said Court at the Courthouse. This ^{5th} day of *May* 18*92* in the 11*6* year of the Commonwealth.

A Copy Teste

J. A. G. Hyatt Clerk.

Page
Jane Myres jnr

vs Spain

M. J. Parsons

To 2nd May Rules 1892

Executed by
Delivering an
office copy

To Mr. J. Parsons

May 13 1892

J. M. Macle

Deputy for C. E.

January 1892